

undergoing the ordeal of night sessions, and with a view probably to dissuade the Recorder from his threatened intention to sit until 10 o'clock at night, both sides helped yesterday to advance the progress of the trial. The prosecution's attorneys hope to finish their case by Thursday afternoon, and allowing a liberal time for the presentation of the case for the defense it is predicted that a verdict may be reached by next Friday week, or the Monday following.

## DR. SCHEELE RECALLED.

The Recorder was, contrary to his usual custom, about a quarter of an hour late, and after he had addressed counsel, as already referred to, on the subject of too frequently giving voice to opinions on the case, Dr. Scheele was recalled to the stand. Dr. Scheele's manner yesterday was entirely different from that which he exhibited on Friday. On the former occasion Mr. Brooke had found him unprepared and expecting nothing of the ordeal he was called upon to face. Yesterday morning, however, he took his seat on the witness-stand smilingly, and confronted his antagonist with perceptible confidence. The succession of negatives were as emphatic as they were promptly given. Mr. Brooke first asked him if he knew the editor of a German newspaper, whom he named; but the question was objected to by Mr. McIntyre, and the objection sustained. Mr. Brooke calmly acquiesced in the ruling, and then went on to ask the witness if he had not said in a barroom four weeks ago that his reputation depended upon the conviction of Mrs. Fleming, and that he was bound to convict her. Dr. Scheele denied the imputation, with a "No" so loudly uttered that it might have been heard throughout the whole building.

## NOT AMONG HIS ACQUAINTANCES.

Q.—Do you know a woman named Tillie Warren, and another woman of the name of May Carmen? A.—I do not.

Q.—Did you see either of these two women at the Harbor Hotel on the occasion that you saw Mr. H. H. Serele?

Q.—Did you make the statement to which I have already called your attention to in the presence of the two women whom I have already named? A.—I did not.

Q.—Did you at any time or place make the following statement to the two women? "That the woman Fleming had to die will comfort that woman who thinks she is guilty or who has got to die?" A.—I did not. Q.—Neither in German nor in English? A.—No.

Q.—Were you the defendant in the City Court, Brooklyn, in an action, William H. Merele against Walter Theodore Scheele?

Mr. McIntyre objected, and maintained that the question was an improper one in every way. The motive for introducing such an inquiry was, he said, easy to see, and nobody knew better than Mr. McIntyre that it was irrelevant.

"We all know better than Mr. Brooke," reported the defendant's counsel, "that this question is perfectly relevant, and in a few minutes I will make its relevancy perfectly clear to you."

The witness was ordered by the Recorder to answer the question, and did so, acknowledging that he was the defendant in the action.

"Do you know Edward Gerichter, formerly police detective connected with the District-Attorney?" A.—Yes.

Before the witness could answer Mr. McIntyre objected, whereupon Mr. Brooke said that he wished to show by an affidavit which he had in his possession that Dr. Scheele's character when he gave evidence in the Meyer case was made the subject of an improper and unfounded report. McIntyre protested against such ungrounded statements being made before the jury, and denied that the District-Attorney had ever investigated Dr. Scheele's character. The objection was sustained, despite the assertion of Mr. Brooke that he had an affidavit ready to put in evidence.

## HIS CHARACTER ATTACKED.

Q.—Do you know a corporation called the Stratton Printing Company? A.—I do.

Q.—Do you know Edward Stratton, the president of the company? A.—I do not.

Q.—Did you pass a forged check on the Stratton Printing Company? A.—I did not.

Q.—Nor ever pay to that company a check drawn upon a bank at which you had no account? A.—I did not.

Mr. Brooke then framed another question beginning, "Do you remember passing checks on—" when Mr. McIntyre put in a strongly worded objection, and asked the Court to instruct counsel for the defense to desist from attacking the private character of the witness by insinuation and implication. He further contended that the course Mr. Brooke was pursuing was improper. The Recorder, however, said he would hear Mr. Brooke's question first and then rule upon it. The question was then repeated as follows: "Do you remember passing bad checks upon any person, and subsequently admitting the fact to any such person, to whom you passed them?" Recorder Goff ruled that the question was improper, and upheld Mr. McIntyre's objection.

## MR. BROOKE PROTESTS.

Mr. Brooke took exception to the ruling. "I cannot legally ask him," said counsel, "whether he was ever arrested or whether he was ever indicted, but I can ask him if he ever committed any crime against the Code. I am now asking him if it was ever guilty of the crime of grand larceny."

Mr. McIntyre protested against the action of defendant's counsel in attempting to saturate the case with innuendos, and added: "It seems remarkable that this man can have resided in New-York so long and be guilty of these crimes and yet have not been arrested."

"You don't surely mean to assert that, do you?" Mr. Brooke retorted. Mr. McIntyre, however, for the reply, continued: "I wish you would allow me to let the case out, and we would soon see if he were guilty or not."

After a spirited argument between counsel Mr. Brooke was allowed to proceed in the same line of cross-examination.

Q.—Did you obtain money by false pretenses, by presenting checks to people drawn up on banks where you had no account, and yet receive payment in full, say, from the proprietor of the Meyer Hotel, in New-York? The proprietor of the Meyer Hotel, the proprietor of the Eagle Cigar Store, Brooklyn; from Leitch Brothers, the drug stores in Whitehall and Pearl Streets; from Mr. Gatz, at the corner of Whitehall and Pearl Streets; or the proprietor of the Eastern Hotel, at the corner of Whitehall and South Street? A.—I did not.

## GENERAL DENIAL.

Q.—Or from any other person? A.—I never obtained any money by false pretenses.

Q.—Did you not once tell Mr. Stratton that if he would not have you arrested you would in a short time make good the amount of the fraudulent check you gave him? A.—I did not.

"I now call your attention again to the suit brought against you by Merele," began Mr. Brooke, when Mr. McIntyre jumped to his feet, and, appealing to the Recorder, and his counsel for the defense was to be allowed to continue insulting and sandbagging the witness. "No man in this court," he claimed, "would be safe if these insinuating questions are permitted to be applied. When we brought evidence to show the presence of poison in the body of the deceased woman, and in the premises of the defendant, Mr. Brooke announced that the defense would be suicide, but now they want to go back on that and intimate that this witness himself put the poison in the body of Mrs. Bliss."

## NO DEMONSTRATION ALLOWED.

Mr. McIntyre's brief denunciation was delivered in an indignant and loud tone, and as he finished there was a slight attempt at applause at the back of the courtroom. The Recorder observed it immediately, and calling Captain Richard McLaughlin, the court officer, said to him, "If at any time there be the slightest demonstration in this court, either of approval or disapproval, or any other expression of feeling on the part of any one, I hope you will do your best to detect that person and bring him before me. I will deal severely with any such offender." Mr. McIntyre's objection to Mr. Brooke's continued examination of Dr. Scheele was overruled.

Q.—You said on Friday last that you were at one time in employ of the Alchemic Chemical Works. Now did you leave Albany and the employment upon the Chemical Works because you had passed upon

## Colgate's Soaps and Perfumes

unequalled in quality and perfume.

A number of persons in that city false and fraudulent checks? A.—I deny it.

Q.—Do you know Ahren's saloon, in Elm-st., opposite this courthouse? A.—I do.

Q.—Did you at any time ever say there is in the premises of Ahren's, Elm-st. and Mr. Roosevelt? "I can find chemically anything I am paid to find." A.—I did not.

Q.—Did you make such an assertion at that place on that occasion or at any other place or time? A.—I did not.

This ended Mr. Brooke's cross-examination, and Dr. O'Sullivan's redirect examination drew from the witness the knowledge that most of the names which Mr. Brooke had mentioned were in the beer and brewing business, and that because he (the witness) was concerned in a beer business this furnished the animus behind the attacks that had been directed against him.

## A SLAP AT MR. BROOKE.

Then came the question of the original report Dr. Scheele had made for the late Coroner O'Meagher. The witness had the document in court with him, and related that Mr. Brooke had come to his office, and, after saying he was his best friend, surreptitiously abstracted the report from his office.

Mr. Brooke interrupted the examination with a denial of the statement, and said that the report had been lent to him by Dr. Scheele and the Dr. O'Sullivan himself had come to his office to read the report. "That is a falsehood!" exclaimed Dr. O'Sullivan. "I never came to your office and read anything of Dr. Scheele's relating to the Fleming case." After Dr. O'Sullivan had finished his examination of Dr. Scheele, Mr. Brooke took him in hand again and tried to induce the witness to admit that the report had been given voluntarily to him (Mr. Brooke), but the witness adhered to his original statement. The original report which was submitted with him was, on the suggestion of the Recorder, marked for identification and admitted in evidence.

Charles A. Anderson, the manager of the Colonial Hotel, was recalled to identify the clam chowder in use at the hotel on the day Mrs. Bliss was poisoned. It contained the entry of the clam chowder. In cross-examination Mr. Brooke was told to make a threat to committee, and was intending to ask the witness about a statement that the deceased woman had made on the day she borrowed the 50 cents from the witness when Mr. McIntyre objected and was sustained by the Court. Further questioned by Mr. Brooke, witness said that the tray found in Mrs. Fleming's room and upon which she was found was one of the trays belonging to the hotel.

Mr. Brooke interrupted the examination with a denial of the statement, and said that the report had been given voluntarily to him (Mr. Brooke), but the witness adhered to his original statement. The original report which was submitted with him was, on the suggestion of the Recorder, marked for identification and admitted in evidence.

Witness, continuing said that when Mrs. Fleming said she hoped Gracie had eaten none of the clam chowder, Gracie replied, "No, ma." She added that Mrs. Fleming sent down some for some meat—she could not remember what, and after they had eaten it, went to the Park to play.

Mr. Brooke moved that the whole of the evidence of Mrs. Fleming should be stricken out, but this being overruled, he proceeded to cross-examine her. When she elicited from her the statement that she had been subjected to questions by the police and had told them her story, Mr. Brooke failed to shake or undermine any of the child's testimony.

Mr. Wolcott (Rep., Col.) offered a resolution instructing the Committee on Libraries to inquire into all the facts and circumstances connected with the late award of the contract for the erection at Washington of an equestrian statue of General William T. Sherman, and requesting the Secretary of War to suspend the execution of the contract until a report is received by the Senate at the next session. He advised for its immediate consideration.

Mr. Allison (Rep., Iowa) objected, and asked that the resolution go over until to-morrow.

Mr. Wolcott expressed his strong desire to have action taken at the present session, and asked Mr. Allison whether there would be a legislative day in the Senate to-morrow.

Mr. Allison answered, with a smile, that it was impossible for him to say; but he supposed there would be.

The resolution went over until to-morrow.

The Immigration bill was taken up, and Mr. Morgan (Dem., Ala.) made another long speech upon the question of the war in Cuba, in the course of which he disclaimed having heretofore been any way offensive to the Queen Regent of Spain, who he called her a woman of high character and of almost unexampled virtue, and said that she was entitled by virtue of the regency of a manhood to the utmost respect and that every Senator as treated her and spoke of her. He spoke of General Weyler, who was a brutal soldier, who plunged his broad-sabined sword in the bosoms of women and children.

Mr. Morgan offered an amendment providing that the bill shall not apply to persons coming from Cuba, saying that those Cubans came to this country in order to escape from the persecutions of Spain to live under free institutions.

Mr. Morgan went into the Cuban question at great length, giving statement of resources in the present war and in the preceding Ten Years' War, and asserting that the Cubans had been selected by the Spanish Government for their courageous and unbearable taxation, unfortunately for him, he had been arraigned and held up to the country as being very anxious that war should take place between Spain and the United States, and that that was his purpose. He confessed that he was anxious to go to Spain with the Spanish fleet, but he says he is not going to St. Louis because he believes that McKinley will be nominated like a puff of smoke, and it will be all over. I am more interested in protecting our coasts against the possible invasion on the part of a good healthy fleet of gunboats. Where the struggle will come at St. Louis, there is any way to cover the country with a fleet of iron-clads. We are not prepared to meet a fleet of iron-clads.

Q.—What is the clam chowder? A.—It is the same as the one Mrs. Bliss had in her room on August 30, with one of the meals she had that day. The check was signed by Mrs. Fleming.

Q.—What are the articles of food mentioned on that check? A.—It was asked,

"Clam chowder and pie" was the answer.

Witness said the food was taken to Mrs. Fleming's room by the hotel "omnibus," a young man of the name of Redmond. Mrs. Fleming, he continued, had another meal sent to her room at 4:45 the same afternoon, consisting of roast beef, corn, potatoes, beans and rice.

The point of the question was, whether the witness established the fact that Mrs. Fleming had ordered clam chowder and pie, and that their receipt had been acknowledged by signature on the check produced, next called James Redmond, the "omnibus," who corroborated the witness' evidence, and after the stenographer had read his minutes of her testimony to the jury, because of the low tone in which the young witness spoke, the court adjourned until 10:30 this morning.

Vernon. She knew Mrs. Fleming and her daughter Gracie, and had known them ever since the latter had moved to No. 591 Manhattan-ave., last spring. Gracie and she used to play together and had often visited each other's homes. She testified that she remembered August 30 last because it was the last Friday before her school vacation ended. On the morning of that day she went to the Colonial Hotel to play with Gracie Fleming, and her little girl accompanied her back to No. 591 Manhattan-ave., and stayed while Mrs. Fleming had luncheon. At this point Mr. Brooke said he was not satisfied with the witness' answer as to how she recollects the date when this occurred, and Mr. McIntyre thereupon called the girl's mother, Mrs. Sarah R. King, who corroborated her daughter's statement that August 30 was the last Friday of the school vacation.

## DELIVERY OF THE CHOWDER.

Florence King was then recalled, and said that when she had finished her luncheon she went back with Gracie Fleming to the Colonial Hotel. "We played a little while," she said, "and then I went with Gracie to her grandma's (Mrs. Bliss). It was late in the afternoon when we went."

CONFERENCE REPORTS AGREED TO—MR. WOLCOTT

WANTS TO INVESTIGATE THE SHERMAN

STATUTE AWARD—MR. MORGAN MAKES

ANOTHER CUBAN SPEECH, USING

THE IMMIGRATION BILL

AS A TEXT.

Washington, June 8.—The Senate passed the new General Deficiency bill to-day in less than three-quarters of an hour. Ordinarily a bill of 130 printed pages would have taxed the powers of the reading clerk for at least two hours, but the reading of this bill was completed in half an hour. An attempt was made by Mr. Harris (Dem., Tenn.) to have the claims under the Bowman act, aggregating about \$500,000, placed in the bill, but they were ruled out on a point of order and the bill was promptly passed.

A final conference was made on the Post-office Appropriation bill, and was agreed to. Partial conference reports on the Indian Appropriation bill and on the District of Columbia Appropriation bill were made and agreed to, and further conferences were ordered.

Mr. Wolcott (Rep., Col.) offered a resolution instructing the Committee on Libraries to inquire into all the facts and circumstances connected with the late award of the contract for the erection at Washington of an equestrian statue of General William T. Sherman, and requesting the Secretary of War to suspend the execution of the contract until a report is received by the Senate at the next session.

Mr. Morgan (Dem., Ala.) offered an amendment providing that the La France Sugar Estate, owners of the bridge, and suit to recover compensation, was brought in the court of first instance, which gave judgment only upon the question of the proper defendant to the effect that the La France Company had been properly sued. On appeal to the Supreme Court, decided that neither the La France Estate nor anybody else was responsible, owing to the conclusion reached by that court that the bridge was an illegal structure, and deserved to be condemned. The La France Sugar Estate appealed to the Supreme Court, and declared that the bridge was built in violation of the laws of the United States against the construction of bridges over water, and that the bridge was built in violation of the laws of the State of Alabama, and that the bridge was built in violation of the laws of the State of Georgia, and that the bridge was built in violation of the laws of the United States against the construction of bridges over water.

Mr. Morgan said there is no further judicial proceeding known to him and, judicial relations having been severed, he is unable to procure from the La France Sugar Estate any information concerning the La France Sugar Estate's rights in the bridge.

Mr. Morgan said that the bridge was built in violation of the laws of the United States against the construction of bridges over water, and that the bridge was built in violation of the laws of the State of Alabama, and that the bridge was built in violation of the laws of the State of Georgia, and that the bridge was built in violation of the laws of the United States against the construction of bridges over water.

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